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Attorney Docket No. 23725.00

Customer No. 37833

Confirmation No. 3931

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE *PATENT* APPLICATION OF:

APPLICANT : **STEVEN J. CORDRAY *et al.***

APPL. NO. : **10/720,335**

ART UNIT : **3751**

FILED : **NOVEMBER 25, 2003**

EXAMINER : **FETSUGA, R.**

TITLED : **POOL COVER**

MAIL STOP AMENDMENT
COMMISSIONER FOR PATENTS
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RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In the Office Action dated April 19, 2005, the Examiner required restriction under 35 U.S.C. § 121 prior to an examination on the merits of the above-identified application. The separate inventions identified by the Examiner are as follows:

- I. Claims 1-9, drawn to a pool cover.
- II. Claims 10-12, drawn to a clip member.

The Examiner states that the inventions of Groups I and II are related as combination and subcombination. In order to establish that the inventions of Groups I and II are distinct, the Examiner asserts that the combination of Group II does not require the particulars of the subcombination of

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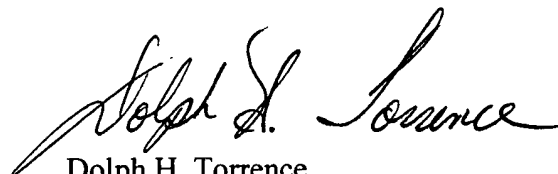
Group II for patentability. The Examiner also alleges that the clip member of Group II has separate utility such as in window treatments, for example.

In compliance with the Examiner's restriction requirement, Applicant provisionally elects with traverse for further prosecution the invention defined by Claims 1-9 (designated as Group I).

Notwithstanding the propriety of the restriction requirement for examination purposes, Applicant contends that he should be entitled to a consideration of a reasonable number of related embodiments falling within the scope of a generic inventive concept. Moreover, it would appear that a search and examination of the entire application could be accomplished without a serious burden on the Examiner since the multiple embodiments identified of record would seemingly encompass a common field of search.

Accordingly, it is respectfully requested that the Examiner withdraw the restriction requirement, and issue an action on the merits of all the embodiments presently in the case. Alternatively, should the Examiner maintain the requirement and make it final, Applicant awaits a complete action on the merits of the elected subject matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Dolph H. Torrence", written in a cursive style.

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DHT:RCL